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February 11, 2013

VIA ECF SYSTEM FILING

Honorable William W. Caldwell
U.S. District Court for the
Middle District of Pennsylvania
Federal Building
United States District Courthouse
228 Walnut Street
Harrisburg, PA 17108

**Re: John Doe v. The Pennsylvania State University, et al.
The United States District Court for the Middle District of Pennsylvania
Civil Action No. 12-2068**

Dear Judge Caldwell:

I and my firm represent The Pennsylvania State University (the "University") in the above-captioned action. On December 11, 2012, the Court entered an Order setting the University's response date to Plaintiff's Complaint for February 25, 2013 (Doc. No. 15). Because (a) that date is rapidly approaching, and (b) there is an outstanding motion to stay this action, the University respectfully requests a telephone conference with Your Honor at the Court's soonest convenience.

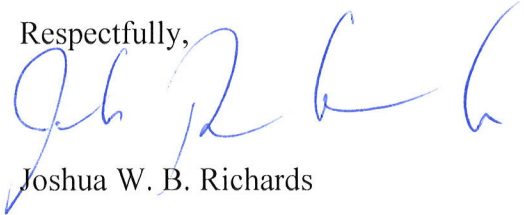
By way of background, on December 21, 2012, the University filed a motion to stay this action pending the resolution of parallel criminal proceedings (Doc. No. 24), in which defendants The Second Mile, Wendell Courtney, Timothy Curley, and Graham Spanier concurred (the "Motion"). Plaintiff has not filed a brief in opposition to the University's Motion within the prescribed 14-day response time, thereby permitting the Court to deem that Plaintiff does not oppose to the Motion pursuant to Local Rule 7.6.

To date, Edgewater Psychiatric Center ("Edgewater") is the only party to this action to have submitted a brief in opposition to the University's Motion, which it filed on January 4, 2013 (Doc. No. 34). Edgewater's opposition to the University's proposed stay, however, does not bear on the merit of the arguments raised by the University with regard to parallel criminal proceedings. Instead, Edgewater's opposition focuses on its desire to timely litigate the dismissal of Plaintiff's claims against it, which it can do following the conclusion of the pending

criminal proceedings (or even while a stay of Plaintiff's claims against the remaining defendants is in place).

In light of the foregoing, the University respectfully requests a telephone conference at Your Honor's earliest convenience. We are happy to distribute a call-in number to all parties and the Court.

Respectfully,



Joshua W. B. Richards

cc: James A. Keller, Esq.
Joseph F. O'Dea, Esq.

CERTIFICATE OF SERVICE

I, Joshua W. B. Richards, Esquire, hereby certify that on this 11th day of February 2013, I caused a true and correct copy of the foregoing letter to be served upon the counsel listed below via the ECF system:

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